

### DETAILED ACTION

1. This action is responsive to the claims filed 03/29/2010.

#### *Response to Amendment*

2. The reply filed on 03/29/2010 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): in the applicant's response filed 03/29/2010 the applicant states that "Support for the amendments to claim 1 may be found throughout the application as originally filed. No new matter has been added.". However, no specific indications for support for added claim limits are cited. Due to the large quantity of amendments to claims filed 03/29/2010 and the fact that several claim limits do not appear to have support in the original disclosure, the Examiner requests that the amendments to claims be accompanied by specific pointers for support within the original specification, claims, and/or drawings. The examiner calls specific attention to the claim limits **"receiving, by a computer system and for addition to a collections account that it maintains on behalf of the SPV, an electronic payment from the power distributor for at least one of the specified periods in the revised power contract, and wherein the computer system comprises a programmed processor and operatively associated memory; transmitting, by the computer system and from the collections account, for the at least one of the specified periods, an electronic payment to the power supplier pursuant to the mirror power contract;**

**transmitting, by the computer system and from the collections account, payments on at least one of interest and principal for the debt instruments issued by the SPV;**

**funding a reserve account, maintained by the computer system, wherein the computer system is configured to make a transfer payment from the reserve account to the collections account in the event of a collections account shortfall for paying at least one of interest and principal on the debt instruments, and to make a transfer payment from the collections account to the reserve account to replenish the reserve account to at least a reserve required balance; and**

**maintaining, by the computer system a damages and indemnity account, wherein the computer system is configured to, upon a damages, termination or indemnification condition, receive from the power supplier at least one of a damages, termination and indemnity amount, and to pay to the power distributor a corresponding amount.”**

Figures 5 and 6 with accompanying description as found in paragraphs 76-80 do not appear to support these claim limits nor can support for the claim limits be found in the remainder of the original application. Identification of support for the added claim limits and how the specification is being interpreted by the applicant in support of them is critical for examination and advancing prosecution since the applicant's arguments regarding § 101 and § 103 rejection are based on the

identified claim limits.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### ***Conclusion***

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory Pollock whose telephone number is 571 270-1465. The examiner can normally be reached on 7:30 AM - 4 PM, Mon-Fri Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chuck Kyle can be reached on 571 272-5233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAP

01/04/2010

/Gregory Pollock/  
Examiner, Art Unit 3695

Gregory A. Pollock

/Thu Thao Havan/  
Primary Examiner, Art Unit 3695